

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

FRANK LAWSHEA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:07CV86 CDP
)	
PAULA PHILLIPS, et al.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This case is before me in reconsideration of my order denying plaintiff Frank Lawshea's motion to appoint counsel. This is a fairly simple case, and I continue to believe that Lawshea is capable of representing himself in this matter. Still, Lawshea's motion to compel indicates that defendants have refused to produce certain relevant documents, including videotapes of the incidents at issue in this case and plaintiffs medical records relating to his claims of respiratory problems, because of "safety and security concerns." The motion to compel concerns evidence that documents the incidents that give rise to this case and should have been produced as part of the Rule 26 disclosure.

I will therefore reconsider my previous order and grant plaintiff's motion to appoint counsel. I will deny plaintiff's motion to compel as moot. I will vacate the pending summary judgment deadlines, and will set a telephone conference


with counsel to discuss any necessary discovery that remains. I will also discuss with counsel the schedule for the remainder of the case.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel [#25] is reconsidered and granted, and attorney **Thomas L. Stewart, Zevan Davidson Farris Stewart, LLC, 1 North Taylor Avenue, St. Louis, Missouri 63108**, is appointed to represent plaintiff in this matter, and the Clerk will provide appointed counsel with copies of the complete case file without charge.

IT IS FURTHER ORDERED that plaintiff's motion to compel [#40] is denied as moot.

IT IS FURTHER ORDERED that the Court will hold a telephone status conference with both counsel on **Friday, May 23, 2008 at 10:00 a.m.** The Court will place the call.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of April, 2008.